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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/834,701
Filing Date: April 12, 2001
Appellant(s): REN ET AL.

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<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/7/2007 appealing from the Office action

mailed 9/5/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

| US 6,182,131 | Dean et al | 7-1998 |
| US 6,175,831 | Weinreich et al | 1-1997 |

US 6,925,477   Champagne et al   3-1998

US 6,625,258   Ram et al   12-1999

US 6,233,577   Ramasubramani et al   2-1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention
> was made.

4.   Claims 1-4, 6, 7, 9, 11, 12, 17, 21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dean et al (or hereinafter "Dean") (US 6182131) in view of Weinreich

et al (or hereinafter "Weinreich") (US 6175831).

As to claim 1, Dean teaches the claimed limitations:

"a method of automatically populating, maintaining and updating a web-based

database" as automatically extract account information and transmit account information

to an account manager of the Internet Service Provider (ISP) for automatically creating

user accounts. The above information shows that transmitted account information is

stored and populated in account manager of the ISP. The account manager of the ISP

is not maintained and updated. The account manager of the ISP is a storage and not a web-based database (col. 3, lines 20-35);

"transferring multiple records of individuals from an existing database to the web-based database automatically and without express registration action in the web-based database by the individual customer" as transmitting the extracted account information including a plurality of usernames in each user account 32 of account registry 30 from LAN 10 to account manager 38 in Internet Service Provider (ISP) 22. Account manager 38 then utilizes the received account information to automatically create individual user accounts. The above information shows that user account information is transferred from each user account 32 of account registry 30 to the account manager in Internet Service Provider automatically and without express registration action in the Internet Service Provider by users of account registry 30. The account registry 30 is represented as an existing database. User names are presented as multiple records. Users are represented as individuals (col. 3, lines 30-35; col. 1, lines 38-39);

"populating a web-based database with the multiple records of the individual customers from the existing database without express registration action in the web-based database" as transmitting the extracted account information including a plurality of usernames in each user account 32 of account registry 30 from LAN 10 to account manager 38 in Internet Service Provider (ISP) 22. Account manager 38 then utilizes the received account information to automatically create user accounts. The above information shows that user account information is populated in the account manager 38 of the Internet Service Provider for creating individual user accounts and without

express registration action in the Internet Service Provider by users of account registry 30 (col. 3, lines 30-35; col. 1, lines 38-39);

"creating a unique access accounts for the multiple individual customers without express registration action in the web-based database by the individuals" as account manager 38 then utilizes the received account information to automatically create individual user accounts. The above information shows that user accounts are created without express registration in the ISP by users of account information in account registry 30 (col. 3, lines 30-35).

Dean does not explicitly teach the claimed limitation "a web-based database; maintaining and updating a web-based database; transmitting at least one access account to at least one of the multiple individual customers; enabling remote maintenance of the individual records by the individual customers by use of the unique access account in the web-based database preventing access to the existing database by individual customers".

Weinreich teaches claimed limitations:
"a web-based database; maintaining and updating a web-based database" as database server updates database 70. The database 70 is represented as a web-based database (col. 18, lines 50-60);
"transmitting at least one access account to at least one of the multiple individual customers" as sending a password to a user for updating user's personal profile (col. 7, lines 60-65; col. 13, lines 19-21);

"enabling remote maintenance of the individual records by the individual

customers by use of the unique access account in the web-based database preventing

access to the existing database by individual customers" as allow a user to update or

remove his personal profile listing from pages records in database 70. To update

his/her personal profile, he/she has to enter a password to logon the system for

accessing his/her profile. The above information shows that the system automatically

updates the user profile the database 70 of the server by using the username and

password as the access account. In light of specification, a web database is a database

existing on a computer accessible across the Internet (page 4, lines 17-18). Thus, the

database 70, which exists on server accessible across the Internet is represented as a

web-based database (col. 18, lines 20-30; col. 9, lines 4-10, col. 9, lines 37-45). Each

password stored in database 70 corresponds to a known user. It should be noted that

sending a password to the e-mail address entered in step 601 insures that the

password is sent only to the user, thus minimizing the likelihood of misuse or fraud (col.

7, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the

time the invention was made to apply Weinreich's teaching of sending a password to a

user and using password to logon the system for updating user profile in database 70 to

Dean's system in order to notify users to access their new accounts and further allow

users directly update their accounts in a web database anytime via Internet quickly

without take many hours to change their accounts and further to minimizing the likehood

of fraud or prevent unauthorized user to access a user account without permission.

As to claim 2, Dean teaches the claimed limitation "wherein the records are received by transfer across an electronic link" as the extracted account information is received by transmitting extracted account information via external network. The external network is represented as an electronic link (fig. 1, col. 3, lines 30-35).

As to claim 3, Dean and Weinreich discloses the claimed limitation subject matter in claim 1, Weinreich further teaches the claimed limitation "wherein the electronic link is electronic mail" as electronic email (col. 2, lines 55-56).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of electronic email to Dean's system in order to provide a quick, secure and convenient way for sending access accounts to computer users.

As to claim 4, Dean teaches the claimed limitation "wherein the electronic link is selected from satellite systems, cable systems, direct modem connections, network connections, VPN connections, or Intranet connections" as network connections (col. 2, liens 7-20, fig. 1).

As to claim 6, Dean teaches the claimed limitation " wherein the populating of the web-based database with the individual customer records further comprises manually mapping the records" as manually entering into a computer each individual username or

user ID for which an account was to be created. The above information indicates

manually mapping each individual username or user ID as records into computer for

creating individual accounts (col. 1, lines 23-26).

As to claim 7, Dean teaches the claimed limitation "wherein the unique access

accounts are generated automatically" as user accounts are created automatically (col.

3, lines 33-34).

As to claim 9, Dean and Weinreich disclose the claimed limitation subject matter

in claim1, Weincreich further teaches the claimed limitation "wherein the unique access

accounts are transmitted to the individuals by email".

Weinreich teaches sending an email message containing a password to the user

1 (col. 7, lines 61-55).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Weinreich's teaching of sending a email message,

containing a password to the user to Dean's system in order to provide a secure and

quick way for providing passwords to users to access their accounts.

As to claim 11, Dean and Weinreich disclose the claimed limitation subject

matter in claim 1, Weinreich further teaches the claimed limitation "wherein the remote

maintenance occurs across the Internet" as updating user profile, which is stored in

database 70 via the Internet (col. 18, lines 20-25; fig. 1).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of updating stored user profile in database 70 via Internet to Dean's system in order to allow users directly to update their accounts in a web database anytime via a Internet system quickly and further provide their changed information that is shared to other users efficiently for future communication.

As to claim 12, Dean and Weinreich disclose the claimed limitation subject matter in claim 1, Weinreich further teaches the claimed limitation "wherein the remote maintenance comprises altering the individual customer records" as changing users profiles in database 70 (col. 18, lines 20-25; col. 9, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of changing users profiles in database 70to Dean's system in order to allow users directly change their accounts in a web database anytime via a network system quickly and further provide their changed information that is shared to other users easily and efficiently for future communication.

As to claim 17, Dean teaches the claimed limitations:

"a remotely accessible data storage system" as remotely accessible system that includes a server, client and Internet Service Provider (fig. 1, col. 2, lines 10-20);

"a web-based database automatically populated with multiple customer data records without express registration action in the web-based database" as transmitting

the extracted account information including a plurality of usernames in each user

account 32 of account registry 30 from LAN 10 to account manager 38 in Internet

Service Provider (ISP) 22. Account manager 38 then utilizes the received account

information to automatically create user accounts. The above information shows that

user account information is automatically populated in the account manager 38 of the

Internet Service Provider for creating individual user accounts. The account manager

38 of ISP is a storage and is not a web-based database (col. 3, lines 30-35; col. 1, lines

38-39);

"wherein said multiple customer record are transferred from an existing database" as

transmitting the extracted account information including a plurality of usernames in each

user account 32 of account registry 30 from LAN 10 to account manager 38 in Internet

Service Provider (ISP) 22. Account registry 30 is represented as an existing database

(col. 3, lines 30-35; col. 1, lines 38-39);

"an account generator provided for creating unique access accounts for the

multiple customer data records" as the network administration software automatically

creates user accounts for user information. The network administration software is

represented as an account generator (col. 3, lines 37-40).

Dean does not explicitly teach the claimed limitation "a web-based database; a

broadcast system provided for distributing the unique access accounts to the multiple

customers without a customer request; and an update system provided to enable

customer access to the customer data records by use of the unique access accounts".

Weinreich teaches the claimed limitations:

"a broadcast system provided for distributing the multiple access accounts to the multiple customers without a customer request" as sending a password to a user for updating user's personal profile without user's request sending a password. Since this allow users to enter passwords to logon the system; thus, passwords are distributed to users to allow users to access their profiles (col. 7, lines 60-65; col. 13, lines 19-21);

"a web-based database; an update system provided to enable customer access to the customer data records by use of the access accounts" as allow a user to update or remove his personal profile listing from the with pages records in database 70. To update his/her personal profile, the he/she has to enter a password to logon the system for accessing his/her profile. The above information shows that the system automatically updates the user profile the database 70 of the server by using the username and password as the access account. In light of specification, a web database is a database existing on a computer accessible across the Internet (page 4, lines 17-18). Thus, the database 70 that exists on server accessible across the Internet is represented as a web-based database (col. 18, lines 20-30; col. 9, lines 4-10; col. 9, lines 35-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of sending a password to a user and using password to logon the system for updating user profile in database 70 to Dean's system in order to notify users to access their new accounts and further allow users directly update their accounts in a web database anytime via a network system quickly without take many hours to change their accounts.

As to claim 21, Dean and Weinreich disclose the claimed limitation subject matter in claim 17, Weinreich further teaches the claimed limitation "wherein the broadcast system distributes the unique access accounts by email". Weinreich teaches sending an email message containing a password to the user 1 (col. 7, lines 61-55).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of sending a email message, containing a password to the user 1 to Dean's system in order to provide a secure and quick way for providing passwords to users for accessing their account.

5.   Claims 24-25, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (or hereinafter "Dean") (US 6182131) in view of Weinreich et al (or hereinafter "Weinreich") (US 6175831) and Ramasubramani et al (or hereinafter "Rama") (US 6233577).

As to claim 24, Dean teaches the claimed limitations:

"a method of automatically populating, maintaining and updating a web-based database" as automatically extracting account information and transmitting account information to the Internet Service Provider (ISP) for automatically creating user accounts. The above information shows that transmitted account information is stored and populated in account manager of the ISP automatically. The account manager of the ISP is not maintained and updated. The account manager of the ISP is a storage and not is a web-based database (col. 3, lines 20-35);

"transferring multiple customer records comprising contact information of multiple customers from an existing database to the web-based database automatically and without express registration action in the web-based database by the customers" as transmitting the extracted account information including a plurality of usernames in each user account 32 of account registry 30 from LAN 10 to account manager 38 in Internet Service Provider (ISP) 22. Account manager 38 then utilizes the received account information to automatically create individual user accounts. The above information shows that user account information is transferred from each user account 32 of account registry 30 to the account manager in Internet Service Provider automatically and without express registration action in the Internet Service Provider by users of account registry 30. The account registry 30 is represented as an existing database. The usernames are represented as contact information (col. 3, lines 30-35; col. 1, lines 38-39);

"populating the web-based database with the records of the multiple customers from the existing database without express registration action in the web-based database" as transmitting the extracted account information including a plurality of usernames in each user account 32 of account registry 30 from LAN 10 to account manager 38 in Internet Service Provider (ISP) 22. Account manager 38 then utilizes the received account information to automatically create user accounts. The above information shows that user account information is populated in the account manager 38 of the Internet Service Provider for creating individual user accounts automatically (col. 3, lines 30-35; col. 1, lines 38-39);

"creating unique temporary access accounts for each of the multiple customers without express registration action in the web-based database by the customers" as account manager 38 then utilizes the received account information to automatically create individual user accounts. The above information shows that user accounts are created without express registration in the ISP by users of account information in account registry 30 (col. 3, lines 30-35).

Dean does not explicitly teach the claimed limitation "a web-based database; maintaining and updating a web-based database; broadcasting the unique temporary access accounts to the multiple customers and enabling remote modification of the customer records by the customers by use of the access account, including enabling the change of the unique temporary access account to a permanent unique identifier and password chosen by the individual customer; and automatically updating the customer records in the web-based database".

Weinreich teaches the claimed limitations:

"a web-based database; maintaining and updating a web-based database; automatically updating the customer records in the web-based database" as database server updates database 70 (col. 18, lines 50-65);

"broadcasting the temporary access accounts to the multiple customers" as sending a password to a user for updating user's personal profile without user's request sending a password. Since this allow users to enter passwords to logon the system; thus, passwords are distributed to users to allow users to access their profiles (col. 7, lines 60-65; col. 13, lines 19-21);

"enabling remote modification of the customer records by the customers by use of the access account" as allow a user to update or remove his personal profile listing from the with pages records in database 70. To update his/her personal profile, he/she has to enter a password to logon the system for accessing his/her profile. The above information shows that the system automatically updates the user profile the database 70 of the server by using the username and password as the access account. In light of specification, a web database is a database existing on a computer accessible across the Internet (page 4, lines 17-18). Thus, the database 70 that exists on server accessible across the Internet is represented as a web-based database (col. 18, lines 20-30; col. 9, lines 4-10; col. 9, lines 37-45).

Rama teaches a user may change his username and password (col. 14, lines 10-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of sending a password to a user and using password to logon the system for updating user profile in database 70 and Rama teaches a user may change his username and password to Dean's system in order to notify users to access their new accounts and further allow users directly update their accounts in a web database anytime via a network system quickly without take many hours to change their accounts and prevent other users access a personal account of a user without permission.

As to claim 25, Dean and Weinreich disclose the claimed limitation subject matter in claim 24, Weinreich further teaches the claimed limitation "wherein the contact information comprises at least one type of information chosen from the following group: mailing address, phone number; voice mail number; cellular phone number; pager number; beeper number; fax number and email address" as contact information comprises email address (col. 21, lines 55-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of contact information comprises email address to Dean's system in order to provide a quick and convenient way for computer users to communicate.

As to claim 27, Dean and Weinreich disclose the claimed limitation subject matter in claim 24, Weinreich further teaches the claimed limitation "wherein the modification is a correction" as editing user profile indicates modification is a correction (col. 18, lines 20-23).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Weinreich's teaching of editing user profile to Dean's system in order to provide updated user information to other users for future communication correctly.

As to claim 28, Dean and Weinreich disclose the claimed limitation subject matter in claim 24, except the claimed limitation "wherein the broadcasting is performed by at

least one means chosen from the following group; facsimile; email; telephone; mobile

telephone; pager; and standard email". Weinreich teaches sending a email message

containing a password to the user 1 indicates that the broadcasting is performed by

email (col. 7, lines 61-55).

It would have been obvious to a person of an ordinary skill in the art at the time the

invention was made to apply Weinreich's teaching of sending a email message,

containing a password to the user 1 to Dean's system in order to provide a secure and

quick way for providing passwords to users to access their account.

6.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in

view of Weinreich (US 6175831) and further in view of Champagne (US 6925477).

As to claim 5, Dean discloses the claimed limitation subject matter in claim1, except

the claimed limitation "wherein the populating of the web-based database with the

individual customer records further comprises automatically mapping the records".

Champagne teaches automatically mapping remote database 32 to host database 12

(col. 8, lines 56-57).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Champagne's teaching of automatically mapping

remote database 32 to host database 12 to Dean's system and Weinreich's system in

order to reduce the amount of time required to map a large records and further eliminate

human error during mapping records to another system.

7.   Claims 8, 10, 20, 22, 23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dean in view of Weinreich and further in view of Ram et al (or

hereinafter "Ram") (US 6625258).

As to claim 8, Dean discloses the claimed limitation subject matter in claim 1,

except the claimed limitation "wherein the unique access accounts are transmitted to

the individuals by fax". Ram teaches a system provides different type of

communication including fax (col. 3, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art the time the

invention was made to apply Ram's teaching of a system providing different types of

communication including fax to Dean's system in order to reduce routing cost for

sending access accounts or any other type of information to users.

As to claim 10, Dean discloses the claimed limitation subject matter in claim

1,except the claimed limitation "the unique access accounts are transmitted to the

individual by a media selected from voice mail, physical address, or pager".

Ram teaches a system provides different type of communication including voice

mail and pager (col. 14, lines 55-63).

It would have been obvious to a person of an ordinary skill in the art the time the

invention was made to apply Ram's teaching of a system providing different types of

communication including voice mail and pager to Dean's system in order to save time

and cost for mailing user access accounts to users and further provide a secure quick

and convince way for mailing use access accounts to users.

As to claim 20, Dean and Weinreich disclose the claimed limitation subject matter

in claim 17,except the claimed limitation "wherein the broadcast system distributes the

unique access accounts by facsimile".

Ram teaches a system provides different type of communication including fax (col. 3,

lines 45-50).

It would have been obvious to a person of an ordinary skill in the art the time the

invention was made to apply Ram's teaching of a system providing different types of

communication including fax to Dean's system in order to reduce routing cost for

sending access accounts or any other type of information.

As to claim 22, Dean and Weinreich disclose the claimed limitation subject matter

in claim 17, except the claimed limitation "wherein the broadcast system distributes the

unique access accounts by a media selected from voice mail, instant messaging, mail,

or by pager".

Ram teaches a system provides different type of communication including

voice mail and pager (col. 14, lines 55-63).

It would have been obvious to a person of an ordinary skill in the art the time the

invention was made to apply Ram's teaching of a system providing different types of

communication including voice mail and pager to Dean's system and Robertson's

system in order to save time and cost for mailing user access accounts to users and further to fulfill these needs, one requires the ability to send and receive messages, access information and entertainment, conduct business transaction, organize and stay in touch with homes, and offices from almost anywhere, at any time, as easily as using voice mail.

As to claim 23, Dean and Weinreich disclose the claimed limitation subject matter in claim 17, except the claimed limitation "wherein the broadcast system distributes the unique access numbers by a combination of fax, email, and voice mail".

Ram teaches a system provides different type of communication including voice mail, email and fax (col. 3, lines 45-50).

It would have been obvious to a person of an ordinary skill in the art the time the invention was made to apply Ram's teaching of a system providing different types of communication including voice mail, email and fax to Dean's system and Weinreich's system in order to allow a system or a user to have more choices in broadcasting different kind of information to other users or another system.

8.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al (or hereinafter "Dean") (US 6182131) in view of Weinreich et al (or hereinafter "Weinreich") (US 6175831) and Ramasubramani et al (or hereinafter "Rama") (US 6233577) and further in view of Ram et al (or hereinafter "Ram") (US 6625258).

As to claim 26, Dean discloses the claimed limitation subject matter in claim 24,
except the claimed limitation "wherein the remote modification is enabled by use of a
telephone number". Ram teaches changing subscriber's profile including changing a
welcome greeting, a password, records, is performed via a phone access (col. 13, lines
22-27).

It would have been obvious to a person of an ordinary skill in the art at the time
the invention was made to apply Ram's teaching of changing subscriber's profile
including changing a welcome greeting, a password, records, is performed via a phone
access to Dean's system in order to save time and cost for updating user accounts and
further provide a secure quick and convince way for updating user accounts.

9.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in
view of Weinreich and further in view of Lee (US 6108691).

As to claim 19, Dean and Weinreich disclose the claimed limitation subject
matter in claim 17, except the claimed limitation "wherein the customer data records
include marketing profiles". Lee teaches providing multiple database records of similar
promotional information with different vendors (col. 4, lines 45-55; col. 5, lines 25-45).

It would have been obvious to a person of an ordinary skill in the art at the time
the invention was made to apply Lee's teaching of providing multiple database records
of similar promotional information with different vendors to Dean's system and
Weinreich's system in order to obtain information necessary to the conduct of business
from proliferating networks and services.

(10) Response to Argument

A.   Appellant argued that none of the claimed prior art provides motivation for combining the references, a reasonable expectation of success in achieving the alleged suggested combination, teach or suggest all the claim limitations as described in the amended claims.

In response to Appellant's argument, the examiner respectfully submits that references are combinable to reasonably establish a prima facie case of obviousness under 35 USC 103 when there is a teaching or suggestion or motivation to combine prior art teachings (see in KSR International Co.v. Teleflex Inc., 550 U.S.-, 82 USPQ2d 1385 (2007)).

The examiner also established a prima facie case of obviousness under 35 USC 103, meeting three conditions (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

In this case, the instant application is related to transferring multiple records of individuals from an existing database to the web-based database automatically and automatically populating and maintaining a web-based database.

Dean is directed to transmitting the extracted account information including a plurality of usernames in each user account 32 of account registry 30 from LAN 10 to

account manager 38 in Internet Service Provider (ISP) 22 Account manager 38 then

utilizes the received account information to automatically create individual user

accounts (col. 3, lines 30-35; col. 1, lines 38-39).

Similarly, Weinreich provides user profiles (user accounts) in a network database

in which a plurality of registered individuals and perform a search to extract information

about a registered user using the network database (col. 2, lines 21-31;col. 19, lines 45-

50, fig. 13).

Dean teaches all of claimed limitation of claim 1 as discussed in ground of

rejection paragraph.

However, Dean does not explicitly teach the claimed limitation "a web-

based database; maintaining and updating a web-based database; transmitting at

least one access account to at least one of the multiple individual customers;

enabling remote maintenance of the individual records by the individual

customers by use of the unique access account in the web-based database

preventing access to the existing database by individual customers".

Importantly, Weinreich teaches claimed limitations:

"a web-based database; maintaining and updating a web-based database"

as database server updates database 70. The database 70 is represented as a web-

based database (col. 18, lines 50-60);

"transmitting at least one access account to at least one of the multiple individual customers" as sending a password to a user for updating user's personal profile (col. 7, lines 60-65; col. 13, lines 19-21);

"enabling remote maintenance of the individual records by the individual customers by use of the unique access account in the web-based database preventing access to the existing database by individual customers" as allow a user to update or remove his personal profile listing from pages records in database 70. To update his/her personal profile, he/she has to enter a password to logon the system for accessing his/her profile. The above information shows that the system automatically updates the user profile the database 70 of the server by using the username and password as the access account. In light of specification, a web database is a database existing on a computer accessible across the Internet (page 4, lines 17-18). Thus, the database 70, which exists on server accessible across the Internet is represented as a web-based database (col. 18, lines 20-30; col. 9, lines 4-10, col. 9, lines 37-45). Each password stored in database 70 corresponds to a known user. It should be noted that sending a password to the e-mail address entered in step 601 insures that the password is sent only to the user, thus minimizing the likelihood of misuse or fraud (col. 7, lines 60-65).

As discussed above, a person of an ordinary skill in the art at the time the invention was made would recognize the advantage of Weinrreich of sending a password to a user for updating user's personal profile to Dean's system in order to notifying users to access their new accounts and further allowing users directly update

their accounts in a web database anytime via Internet quickly without take many hours

to change their accounts and further minimizing the likehood of fraud or preventing

unauthorized user to access a user account without permission.

Thus, Weinrreich provides a reasonable expectation of success (notifying

users to access their new accounts and further allowing users directly update their

accounts in a web database anytime via Internet quickly without take many hours to

change their accounts and further minimizing the likehood of fraud or preventing

unauthorized user to access a user account without permission) **in achieving the**

alleged suggested combination or suggest all the claim limitations in claim 1.

The 103 rejection for claim1 is proper and make the record clear.

For claim 17, Appellant argued that Examiner again wholly failed to

establish a prima facie obviousness rejection by use of Dean and Weinreich prior

art references.

The examiner also established a prima facie case of obviousness under 35 USC

103, meeting three conditions (1) there must be some suggestion or motivation, either in

the references themselves or in the knowledge generally available to one of ordinary

skill in the art, to modify the reference or to combine reference teachings; (2) there must

be a reasonable expectation of success; (3) the prior art reference (or references when

combined) must teach or suggest all the claim limitations.

In this case, the instant application is related to transferring multiple records of individuals from an existing database to the web-based database automatically and automatically populating and maintaining a web-based database.

Dean is directed to transmitting the extracted account information including a plurality of usernames in each user account 32 of account registry 30 from LAN 10 to account manager 38 in Internet Service Provider (ISP) 22 Account manager 38 then utilizes the received account information to automatically create individual user accounts (col. 3, lines 30-35; col. 1, lines 38-39).

Similarly, Weinreich provides user profiles (user accounts) in a network database in which a plurality of registered individuals and perform a search to extract information about a registered user using the network database (col. 2, lines 21-31;col. 19, lines 45-50, fig. 13).

Dean teaches all of claimed limitation of claim 17 as discussed in group of rejection pargarph.

Dean.does not explicitly teach the claimed limitation "a web-based database; a broadcast system provided for distributing the unique access accounts to the multiple customers without a customer request; and an update system provided to enable customer access to the customer data records by use of the unique access accounts".

Importantly, Weinreich teaches the claimed limitations:

"a broadcast system provided for distributing the multiple access accounts to the

multiple customers without a customer request" as sending a password to a user for

updating user's personal profile without user's request sending a password. Since this

allow users to enter passwords to logon the system; thus, passwords are distributed to

users to allow users to access their profiles (col. 7, lines 60-65; col. 13, lines 19-21);

"a web-based database; an update system provided to enable customer access

to the customer data records by use of the access accounts" as allow a user to update

or remove his personal profile listing from the with pages records in database 70. To

update his/her personal profile, the he/she has to enter a password to logon the system

for accessing his/her profile. The above information shows that the system

automatically updates the user profile the database 70 of the server by using the

username and password as the access account. In light of specification, a web

database is a database existing on a computer accessible across the Internet (page 4,

lines 17-18). Thus, the database 70 that exists on server accessible across the Internet

is represented as a web-based database (col. 18, lines 20-30; col. 9, lines 4-10; col. 9,

lines 35-45).

Therefore, a person of an ordinary skill in the art at the time the invention was

made would recognize the advantage of Weinrreich of sending a password to a user

and using password to logon the system for updating user profile in database 70 to

Dean's system in order **to achieve the predictable results** of notifying users to access

their new accounts and further allowing users directly update their accounts in a web

database anytime via Internet quickly without take many hours to change their accounts

and further minimizing the likehood of fraud or preventing unauthorized user to access a

user account without permission.

As discussed above, the combination of Dean and Weinrreich references

provides a reasonable expectation of success (notifying users to access their new

accounts and further allowing users directly update their accounts in a web database

anytime via Internet quickly without take many hours to change their accounts and

further minimizing the likehood of fraud or preventing unauthorized user to access a

user account without permission) **in achieving the alleged suggested combination or**

suggest all the claim limitations in claim 17.

The 103 rejection for claim 17 is proper and make the record clear.

B. Appellant stated that the Examiner wholly failed to show the teaching or

motivation to combine Dean'131 with Winreich '831 from the references in her

rejection of all claims.

In response to Appellant's argument that there is no suggestion to combine

the references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992) and **KSR International Co.v.**

Teleflex Inc., 550 U.S.-, 82 USPQ2d 1385 (2007). In this case, for claims1 and 17, it

would have been obvious to a person of an ordinary skill in the art at the time the

invention was made to apply Weinreich's teaching of sending a password to a user and

using password to logon the system for updating user profile in database 70 to Dean's

system in order **to have predictable results** of notify users to access their new

accounts and further allow users directly update their accounts in a web database

anytime via Internet quickly without take many hours to change their accounts and

further to minimizing the likehood of fraud or prevent unauthorized user to access a user

account without permission.

C. Appellant argued that Dean's invention will not work for non-registered

individuals because Dean only functions with individuals that that are pre-

registered in the account to access the server.

In response to Appellant's argument, it is noted that the features upon which

applicant relies (i.e., non-registered individuals) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the

specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993).

D. Appellant argued that nothing in Dean suggests the motivation to create

a duplicate Internet database and provide notification and a new password for the

potential users of that new database to sign and update their existing individual

contact information.

In response to Appellant's argument, it is noted that the features upon which

applicant relies (i.e., create a duplicate Internet database a new password for the

potential users of that new database) are not recited in the rejected claim(s). Although

the claims are interpreted in light of the specification, limitations from the specification

are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057

(Fed. Cir. 1993).

As discussed above, the examiner recognizes that obviousness can only be

established by combining or modifying the teachings of the prior art to produce the

claimed invention where there is some teaching, suggestion, or motivation to do so

found either in the references themselves or in the knowledge generally available to one

of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir.

1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992) and **KSR**

International Co.v. Teleflex Inc., 550 U.S.-, 82 USPQ2d 1385 (2007).

In this case:

For claims1 and 17, it would have been obvious to a person of an ordinary skill

in the art at the time the invention was made to apply Weinreich's teaching of sending a

password to a user and using password to logon the system for updating user profile in

database 70 to Dean's system in order to **a reasonable expectation of success of**

notifying users to access their new accounts and further allowing users directly update

their accounts in a web database anytime via Internet quickly without take many hours

to change their accounts and further to minimizing the likehood of fraud or preventing

unauthorized user to access a user account without permission.

For claim 24, it would have been obvious to a person of an ordinary skill in the art

at the time the invention was made to apply Weinreich's teaching of sending a

password to a user and using password to logon the system for updating user profile in

database 70 and Rama teaches a user may change his username and password to

Dean's system in order to provide **a reasonable expectation of success of** notifying

users to access their new accounts and further allowing users directly update their

accounts in a web database anytime via a network system quickly without take many

hours to change their accounts and preventing other users access a personal account

of a user without permission.

E. Appellant's argued that Applicant's invention that requires the data to

transfer automatically and "without registration". Considering the purpose of

each of the cited prior art references as a whole, it would not have been obvious

to one of ordinary skill in the art to modify the prior art to function automatically

and "without registration".

In response to Appellant's argument, as discussed above, Dean reference

teaches as transmitting the extracted account information including a plurality of

usernames in each user account 32 of account registry 30 from LAN 10 to account

manager 38 in Internet Service Provider (ISP) 22. Account manager 38 then utilizes the

received account information to automatically create individual user accounts. The

above information shows that user account information is transferred from each user

account 32 of account registry 30 to the account manager in Internet Service Provider

automatically and without express registration action in the Internet Service Provider by

users of account registry 30. The account registry 30 is represented as an existing

database. The usernames are represented as contact information (col. 3, lines 30-35;

col. 1, lines 38-39).

However, Dean does not explicitly teach the claimed limitation *"a web-based*

database; a broadcast system provided for distributing the unique access accounts to

the multiple customers without a customer request; and an update system provided to

enable customer access to the customer data records by use of the unique access

accounts".

Weinreich teaches the claimed limitations:

"a broadcast system provided for distributing the multiple access accounts to the

multiple customers without a customer request" as sending a password to a user for

updating user's personal profile without user's request sending a password. Since this

allow users to enter passwords to logon the system; thus, passwords are distributed to

users to allow users to access their profiles (col. 7, lines 60-65; col. 13, lines 19-21);

"a web-based database; an update system provided to enable customer access

to the customer data records by use of the access accounts" as allow a user to update

or remove his personal profile listing from the with pages records in database 70. To

update his/her personal profile, the he/she has to enter a password to logon the system

for accessing his/her profile. The above information shows that the system

automatically updates the user profile the database 70 of the server by using the

username and password as the access account. In light of specification, a web

database is a database existing on a computer accessible across the Internet (page 4,

lines 17-18). Thus, the database 70 that exists on server accessible across the Internet

is represented as a web-based database (col. 18, lines 20-30; col. 9, lines 4-10; col. 9,

lines 35-45).

Therefore, it would have been obvious to a person of an ordinary skill in the art

at the time the invention was made to apply Weinreich's teaching of sending a

password to a user and using password to logon the system for updating user profile in

database 70 to Dean's system in order **to achieve the predictable results** of notifying

users to access their new accounts and further allowing users directly update their

accounts in a web database anytime via Internet quickly without take many hours to

change their accounts and further minimizing the likehood of fraud or preventing

unauthorized user to access a user account without permission.

As discussed above, the combination of Dean and Weinrreich references

provides a reasonable expectation of success (notifying users to access their new

accounts and further allowing users directly update their accounts in a web database

anytime via Internet quickly without take many hours to change their accounts and

further minimizing the likehood of fraud or preventing unauthorized user to access a

user account without permission) **in achieving the alleged suggested combination or**

suggest all the claim limitations in claim 17.

F. Appellant argued that Weinreich does not broadcast a password signon to individuals outside of those who initialized their own account within system".

In response to Appellant's argument, it is noted that the features upon which applicant relies (i.e., broadcast a password signon to individuals outside of those who initialized their own account within system) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). However, Weinreich teaches claim limitation "broadcasting the temporary access accounts to the multiple customers" as sending a password to a user for updating user's personal profile without user's request sending a password. Since this allow users to enter passwords to logon the system; thus, passwords are distributed to users to allow users to access their profiles (col. 7, lines 60-65; col. 13, lines 19-21).

G. Appellant argued that the examiner citation of Dean in view of Weinreich to reject claims 1-4, 6, 7, 9, 11-12, 17 and 21 is error and failed to establish a prima facie obviousness rejection by use of the Dean and Weinreich prior art references.

In response to applicant argument, as discussed above, **in order for references to be combinable to reasonably establish a prima facie case of obviousness under 35 USC 103 when there is a teaching or suggestion or motivation to**

combine prior art teachings (see in KSR International Co.v. Teleflex Inc., 550 U.S.-,
82 USPQ2d 1385 (2007)). In this case,

the examiner recognizes that obviousness can only be established by combining
or modifying the teachings of the prior art to produce the claimed invention where there
is some teaching, suggestion, or motivation to do so found either in the references
themselves or in the knowledge generally available to one of ordinary skill in the art.
See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958
F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).In this case, for claims1 and 17, it would
have been obvious to a person of an ordinary skill in the art at the time the invention
was made to apply Weinreich's teaching of sending a password to a user and using
password to logon the system for updating user profile in database 70 to Dean's system
in order **to have predictable results** of notify users to access their new accounts and
further allow users directly update their accounts in a web database anytime via Internet
quickly without take many hours to change their accounts and further to minimizing the
likelihood of fraud or prevent unauthorized user to access a user account without
permission.

Thus Dean in view of Weinreich to reject claims 1-4, 6, 7, 9, 11-12, 17 and 21
is not error. A prima facie obviousness rejection by use of the Dean and Weinreich prior
art references is established properly.

**H. Appellant argued that the Examiner's citation of Dean in view of
Weinreich and Ramansubramani to reject claims 24-25 and 27-28 is Error. The**

teaching of Ramansubramani cannot be combined with Dean and Weinreich to

make any feature of Applicant's invention obvious. Examiner has wholly failed to

show how these prior art references suggest or teach combination claimed to

have been made obvious.

In response to Appellant's argument, the examiner respectfully submits that

references are combinable to reasonably establish a prima facie case of obviousness

under 35 USC 103 when there is a teaching or suggestion or motivation to combine

prior art teachings (see in KSR International Co.v. Teleflex Inc., 550 U.S.-, 82 USPQ2d

1385 (2007)).

The examiner also established a prima facie case of obviousness under 35 USC

103, meeting three conditions (1) there must be some suggestion or motivation, either in

the references themselves or in the knowledge generally available to one of ordinary

skill in the art, to modify the reference or to combine reference teachings; (2) there must

be a reasonable expectation of success; (3) the prior art reference (or references when

combined) must teach or suggest all the claim limitations.

In this case, the instant application is related to transferring multiple records of

individuals from an existing database to the web-based database automatically and

automatically populating and maintaining a web-based database by broadcasting the

temporary access accounts to the multiple customers.

Dean is directed to transmitting the extracted account information including a

plurality of usernames in each user account 32 of account registry 30 from LAN 10 to

account manager 38 in Internet Service Provider (ISP) 22 Account manager 38 then

utilizes the received account information to automatically create individual user

accounts (col. 3, lines 30-35; col. 1, lines 38-39).

Similarly, Weinreich provides user profiles (user accounts) in a network database

in which a plurality of registered individuals and perform a search to extract information

about a registered user using the network database and password (col. 2, lines 21-

31;col. 19, lines 45-50, fig. 13). Ram provides accessing user account by using

password (col. 8, lines 60-65).

Dean teaches all of claimed limitation of claim 24 as discussed in paragraph 9.

Dean does not explicitly teach the claimed limitation "a web-based database;

maintaining and updating a web-based database; broadcasting the unique

temporary access accounts to the multiple customers and enabling remote

modification of the customer records by the customers by use of the access

account, including enabling the change of the unique temporary access account

to a permanent unique identifier and password chosen by the individual

customer; and automatically updating the customer records in the web-based

database".

Importantly, Weinreich teaches the claimed limitations:

"a web-based database; maintaining and updating a web-based database;

automatically updating the customer records in the web-based database" as database

server updates database 70 (col. 18, lines 50-65);

"broadcasting the temporary access accounts to the multiple customers" as

sending a password to a user for updating user's personal profile without user's request

sending a password. Since this allow users to enter passwords to logon the system;

thus, passwords are distributed to users to allow users to access their profiles (col. 7,

lines 60-65; col. 13, lines 19-21);

"enabling remote modification of the customer records by the customers by use of

the access account" as allow a user to update or remove his personal profile listing from

the with pages records in database 70. To update his/her personal profile, he/she has

to enter a password to logon the system for accessing his/her profile. The above

information shows that the system automatically updates the user profile the database

70 of the server by using the username and password as the access account. In light of

specification, a web database is a database existing on a computer accessible across

the Internet (page 4, lines 17-18). Thus, the database 70 that exists on server

accessible across the Internet is represented as a web-based database (col. 18, lines

20-30; col. 9, lines 4-10; col. 9, lines 37-45).

Rama teaches a user may change his username and password (col. 14, lines 10-

15).

Dean, Weinreich and Rama related to the same fields of storing user accounts or

user records or user profiles on a database.

As discussed above, a person of an ordinary skill in the art at the time the

invention was made would recognize the advantage of Weinreich and Rama of teaching

of sending a password to a user and using password to logon the system for updating

user profile in database 70 and changing his username and password to Dean's system

in order to provide **a reasonable expectation of success of** notifying users to access

their new accounts and further allowing users directly update their accounts in a web

database anytime via a network system quickly without take many hours to change their

accounts and preventing other users access a personal account of a user without

permission.

Thus, Weinrreich and Rama provide a reasonable expectation of success

(notifying users to access their new accounts and further allowing users directly update

their accounts in a web database anytime via a network system quickly without take

many hours to change their accounts and preventing other users access a personal

account of a user without permission) **in achieving the alleged suggested

combination or suggest all the claim limitations in claim 24.**

**I. Appellant argued that the examiner's citation of Dean in view of

Weinreich and further in view of Champagne to reject claim 5 is error.**

In response to Appellant's argument, the examiner respectfully submits that **in

order for references to be combinable to reasonably establish a prima facie case

of obviousness under 35 USC 103 when there is a teaching or suggestion or

motivation to combine prior art teachings (see in KSR International Co.v. Teleflex

Inc., 550 U.S.-, 82 USPQ2d 1385 (2007)).**

In this case, Examiner establishes a prima facia case of obviousness under 35 USC 103 meets not only (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; but also (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Dean is related to as transmitting the extracted account information including a plurality of usernames in each user account 32 of account registry 30 from LAN 10 to account manager 38 in Internet Service Provider (ISP) 22 (col. 3, lines 30-35; col. 1, lines 38-39).

Champagne teaches automatically mapping remote database 32 to host database 12 (col. 8, lines 56-57).

As discussed in the final office action , for claim 5, Dean discloses the claimed limitation subject matter in claim1, except the claimed limitation "wherein the populating of the web-based database with the individual customer records further comprises automatically mapping the records".

Champagne teaches automatically mapping remote database 32 to host database 12 (col. 8, lines 56-57).

Dean and Champagne are analogous art because they are from the same field of endeavor of transmitting data from one database to another datasbase.

The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). Thus, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Champagne's teaching of automatically mapping remote database 32 to host database 12 to Dean's system and Weinreich's system in order to reduce the amount of time required to map a large records and further eliminate human error during mapping records to another system.

For the above reason, the examiner's citation of Dean in view of Weinreich and further in view of Champagne to reject claim 5 is proper.

J. Appellant argued that the Examiner's citation of Dean in view of Weinreich and further in view of Ram to reject claims 8, 10, 20, 22, 23, 26 is Error because the Examiner wholly fails to specify the teaching in each which leads to the conclusion they are combinable.

In response to Appellant's argument, the examiner respectfully submits that **in order for references to be combinable to reasonably establish a prima facie case of obviousness under 35 USC 103 when there is a teaching or suggestion or motivation to combine prior art teachings** (see in **KSR International Co.v. Teleflex Inc., 550 U.S.-, 82 USPQ2d 1385 (2007))**.

As to claim 8, Dean discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the unique access accounts are transmitted to the individuals by fax". Ram teaches a system provides different type of communication including fax (col. 3, lines 45-50).

The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to a person of an ordinary skill in the art the time the invention was made to apply Ram's teaching of a system providing different types of communication including fax to Dean's system in order to reduce routing cost for sending access accounts or any other type of information to users.

As to claim 10, Dean discloses the claimed limitation subject matter in claim 1,except the claimed limitation "the unique access accounts are transmitted to the individual by a media selected from voice mail, physical address, or pager".

Ram teaches a system provides different type of communication including voice mail and pager (col. 14, lines 55-63).

The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to a person of an ordinary skill in the art the time the invention was made to apply Ram's teaching of a system providing different types of communication including voice mail and pager to Dean's system in order to save time and cost for mailing user access accounts to users and further provide a secure quick and convince way for mailing use access accounts to users.

As to claim 20, Dean and Weinreich disclose the claimed limitation subject matter in claim 17,except the claimed limitation "wherein the broadcast system distributes the unique access accounts by facsimile".
Ram teaches a system provides different type of communication including fax (col. 3, lines 45-50).

The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to a person of an ordinary skill in the art the time the invention was made to apply Ram's teaching of a system providing different types of communication including fax to Dean's system in order to reduce routing cost for sending access accounts or any other type of information.

As to claim 22, Dean and Weinreich disclose the claimed limitation subject matter in claim 17, except the claimed limitation "wherein the broadcast system distributes the unique access accounts by a media selected from voice mail, instant messaging, mail, or by pager".

Ram teaches a system provides different type of communication including voice mail and pager (col. 14, lines 55-63).

The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958

F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious

to a person of an ordinary skill in the art the time the invention was made to apply

Ram's teaching of a system providing different types of communication including voice

mail and pager to Dean's system and Robertson's system in order to save time and

cost for mailing user access accounts to users and further to fulfill these needs, one

requires the ability to send and receive messages, access information and

entertainment, conduct business transaction, organize and stay in touch with homes,

and offices from almost anywhere, at any time, as easily as using voice mail.

As to claim 23, Dean and Weinreich disclose the claimed limitation subject

matter in claim 17, except the claimed limitation "wherein the broadcast system

distributes the unique access numbers by a combination of fax, email, and voice mail".

Ram teaches a system provides different type of communication including voice

mail, email and fax (col. 3, lines 45-50).

The examiner recognizes that obviousness can only be established by combining

or modifying the teachings of the prior art to produce the claimed invention where there

is some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958

F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious

to a person of an ordinary skill in the art the time the invention was made to apply

Ram's teaching of a system providing different types of communication including voice

mail, email and fax to Dean's system and Weinreich's system in order to allow a system

or a user to have more choices in broadcasting different kind of information to other

users or another system.

As to claim 26, Dean discloses the claimed limitation subject matter in claim 24,

except the claimed limitation "wherein the remote modification is enabled by use of a

telephone number". Ram teaches changing subscriber's profile including changing a

welcome greeting, a password, records, is performed via a phone access (col. 13, lines

22-27).

The examiner recognizes that obviousness can only be established by combining

or modifying the teachings of the prior art to produce the claimed invention where there

is some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958

F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious

to a person of an ordinary skill in the art at the time the invention was made to apply

Ram's teaching of changing subscriber's profile including changing a welcome

greeting, a password, records, is performed via a phone access to Dean's system in

order to save time and cost for updating user accounts and further provide a secure

quick and convince way for updating user accounts.

For the above reason, rejection for claims 8, 10, 20, 22, 23, 26 is proper because

the Examiner wholly specifies the teaching in each which leads to the conclusion they

are combinable.

K. Appellant argued that Dean in view of Weinreich and further in view of

Lee to reject claim 19 is Error because Examiner was again engaging in

impermissible picking and choosing features to establish without consideration

of the claimed invention was a whole.

In response to Appellant's argument, the examiner respectfully submits that **in**

order for references to be combinable to reasonably establish a prima facie case

of obviousness under 35 USC 103 when there is a teaching or suggestion or

motivation to combine prior art teachings (see in **KSR International Co.v. Teleflex**

Inc., 550 U.S.-, 82 USPQ2d 1385 (2007)).

As to claim 19, Dean and Weinreich disclose the claimed limitation subject matter

in claim 17, except the claimed limitation "wherein the customer data records include

marketing profiles". Lee teaches providing multiple database records of similar

promotional information with different vendors (col. 4, lines 45-55; col. 5, lines 25-45).

The examiner recognizes that obviousness can only be established by combining

or modifying the teachings of the prior art to produce the claimed invention where there

is some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art.

See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958

F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious

to a person of an ordinary skill in the art at the time the invention was made to apply

Lee's teaching of providing multiple database records of similar promotional

information with different vendors to Dean's system and Weinreich's system in order to

obtain information necessary to the conduct of business from proliferating networks

and services.

Appellant argued that Dean in view of Weinreich and further in view of Lee

to reject claim 19 is proper.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.
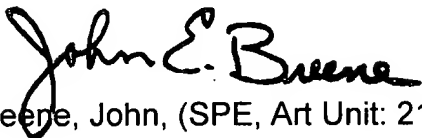
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Cam Y Truong

Cam Y Truong

Conferees:

John E. Breene

Breene, John, (SPE, Art Unit: 2162)

Pierre Vital

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